

Western

District of

Illinois

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle):

Carter, Thomas R.

Name of Joint Debtor (Spouse) (Last, First, Middle):

All Other Names used by the Debtor in the last 6 years  
(include married, maiden, and trade names):All Other Names used by the Joint Debtor in the last 6 years  
(include married, maiden, and trade names):

Soc. Sec./Tax I.D. No. (if more than one, state all):

~~XXX-XX-XXXX~~ 9002

Soc. Sec./Tax I.D. No. (if more than one, state all):

Street Address of Debtor (No. &amp; Street, City, State &amp; Zip Code):

11616 Bernice Ave.  
Monticello, IL 60142

Street Address of Joint Debtor (No. &amp; Street, City, State, &amp; Zip Code):

County of Residence or of the  
Principal Place of Business:

McHenry

County of Residence or of the  
Principal of Business:

Mailing Address of Debtor (if different from street address):

Mailing Address of Joint Debtor (if different from street address):

Location of Principal Assets of Business Debtor  
(if different from street address above):

## Information regarding the Debtor (Check the Applicable Boxes)

## Revenue (Check any applicable box)

☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

## Type of Debtor (Check all boxes that apply)

- ☒ Individual(s) ☐ Railroad  
☐ Corporation ☐ Stockbroker  
☐ Partnership ☐ Commodity Broker  
☐ Other \_\_\_\_\_

Chapter or Section of Bankruptcy Code Under Which  
the Petition is Filed (Check one box)

- ☒ Chapter 7 ☐ Chapter 11 ☐ Chapter 13  
☐ Chapter 9 ☐ Chapter 12  
☐ Sec. 304 - Case ancillary to foreign proceeding

## Nature of Debts (Check one box)

- ☒ Consumer/Non-Business ☐ Business

## Chapter 11 Small Business (Check all boxes that apply)

- ☐ Debtor is a small business as defined in 11 U.S.C. § 101  
☐ Debtor is and elects to be considered a small business  
under 11 U.S.C. § 1121(e) (Optional)

## Filing Fee (Check one box)

- ☒ Full Filing Fee attached  
☐ Filing Fee to be paid in installments (Applicable  
to individuals only) Must attach signed application  
for the court's consideration certifying that the  
debtor is unable to pay fee except in installments.  
Rule 1006(b). See Official Form No. 3.

## Statistical/Administrative Information (Estimates only)

- ☐ Debtor estimates that funds will be available for distribution to unsecured creditors.  
☐ Debtor estimates that, after any exempt property is excluded and administrative  
expenses paid, there will be no funds available for distribution to unsecured creditors.

THIS SPACE IS FOR COURT USE ONLY

Estimated Number of Creditors	1-15	16-49	50-99	100-199	200-999	1000-over
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Estimated Assets

\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	more than \$100 million
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Estimated Debts

\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	more than \$100 million
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Voluntary Petition**

Document Page 2 of 25

(This page must be completed and filed in every case)

Name of Debtor(s):  
Thomas R. Carter**Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)**Location  
Where Filed:

Case Number:

Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)**

Name of Debtor:

Case Number:

Date Filed:

District:

Relationship:

Judge:

**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X   
Signature of Debtor

X \_\_\_\_\_  
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

December 14, 2004

Date

**Signature of Attorney**

X   
Signature of Attorney for Debtor(s)

Rene Hernandez

Printed Name of Attorney for Debtor(s)

The Law Office of Rene Hernandez, P.C.

Firm Name

1625 East State Street

Address

Rockford, IL 61104

(815) 387-0261

Telephone Number

December 14, 2004

Date

**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)

☐ Exhibit A is attached and made a part of this petition.

**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts) the attorney, for the petitioner named in the foregoing petition, declare that I have informed the petitioner that (he or she) may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

X \_\_\_\_\_  
Signature of Attorney for Debtor(s) Date

**Signature(s) of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X \_\_\_\_\_  
Signature of Authorized Individual

X \_\_\_\_\_  
Printed Name of Authorized Individual

Title of Authorized Individual

Date

**Signature of Non-Attorney Petition Preparer**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

X \_\_\_\_\_  
Printed Name of Bankruptcy Petition Preparer

Social Security Number

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document.

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person

X \_\_\_\_\_  
Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

In re Thomas R. Carter

Debtor

Case No. \_\_\_\_\_

(If known)

## SCHEDULE A - REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H", "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	HUSBAND, WIFE, JOINT, COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
11616 Bernice Avenue Huntley, IL 60142		J	\$210,000.00	\$202,000.00
Total ♦			\$ 210,000.00	

(Report also on Summary of Schedules.)

In re Thomas R. Carter  
Debtor

Case No. \_\_\_\_\_  
(if known)

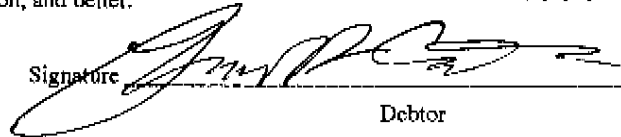
## DECLARATION CONCERNING DEBTOR'S SCHEDULES

### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules consisting of 14 sheets,  
and that they are true and correct to the best of my knowledge, information, and belief. (Total shown on summary page plus 1)

Date December 14, 2004

Signature



Debtor

Date \_\_\_\_\_

Signature \_\_\_\_\_

(Joint Debtor, if any)

[If joint case, both spouses must sign]

### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the \_\_\_\_\_ [the president or other officer or an authorized agent of the corporation or a member or  
an authorized agent of the partnership] of the \_\_\_\_\_ [corporation or partnership] named as debtor in this case, declare  
under penalty of perjury that I have read the following summary and schedules, consisting of \_\_\_\_\_ sheets, and that they  
are true and correct to the best of my knowledge, information, and belief. (Total shown on summary page plus 1)

Date \_\_\_\_\_

Signature \_\_\_\_\_

\_\_\_\_\_  
[Print or type name of individual signing on behalf of debtor]

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 AND 3571.

In re Thomas R. Carter

Debtor

Case No. \_\_\_\_\_

(If known)

## SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "X" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location Of Property."

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand.				
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.				
3. Security deposits with public utilities, telephone companies, landlords, and others.				
4. Household goods and furnishings, including audio, video, and computer equipment.				2,500.00
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.				
6. Wearing apparel.				600.00
7. Furs and jewelry.				
8. Firearms and sports, photographic, and other hobby equipment.				
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.				
10. Annuities. Itemize and name each issuer.				

In re Thomas R. Carter

Debtor

Case No. \_\_\_\_\_

(If known)

## SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
<ul style="list-style-type: none"> <li>11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.</li> <li>12. Stock and interests in incorporated and unincorporated businesses. Itemize.</li> <li>13. Interest in partnerships or joint ventures. Itemize.</li> <li>14. Government and corporate bonds and other negotiable and non-negotiable instruments.</li> <li>15. Accounts Receivable.</li> <li>16. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.</li> <li>17. Other liquidated debts owing debtor include tax refunds. Give particulars.</li> <li>18. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.</li> <li>19. Contingent and non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.</li> <li>20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.</li> <li>21. Patents, copyrights, and other intellectual property. Give particulars.</li> <li>22. Licenses, franchises, and other general intangibles. Give particulars.</li> </ul>				

In re Thoams R. Carter  
Debtor

Case No. \_\_\_\_\_  
(If known)

## SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
23. Automobiles, trucks, trailers and other vehicles.  24. Boats, motors, and accessories.  25. Aircraft and accessories.  26. Office equipment, furnishings, and supplies.  27. Machinery, fixtures, equipment and supplies used in business.  28. Inventory.  29. Animals.  30. Crops - growing or harvested. Give particulars.  31. Farming equipment and implements.  32. Farm supplies, chemicals, and feed.  33. Other personal property of any kind not already listed. Itemize.		2002 F Ford 250 2001 Mustang		25,000.00 12,000.00 10,000.00
_____ continuation sheets attached				Total ▶ \$ 50,100.00

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

In re Thomas R. Carter

Case No. \_\_\_\_\_

Debtor

(if known)

**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**

Debtor elects the exemption to which debtor is entitled under

(Check one box)

- ☐ 11 U.S.C. § 522(b) (1) Exemptions provided in 11 U.S.C. § 522(d). Note: These exemptions are available only in certain states.
- ☐ 11 U.S.C. § 522(b) (2) Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT MARKET VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTIONS
11616 Bernice Huntley, IL	735 ILCS 5/12-901	7,500.00	210,000.00
2002 F Ford 250	735 ILCS 5/12-1001(c)		25,000.00



In re Thomas R. Carter  
Debtor

Case No. \_\_\_\_\_  
(If known)

**SCHEDULE F — CREDITORS HOLDING UNSECURED NONPRIORITY**  
(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CODEBTR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM, IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO.						
Rental Systems, LLC 1100 Brandt Drive Elgin, IL 60120						10,000.00
ACCOUNT NO.						
First National Bank of Marengo 677 E. Grant Highway Marengo, IL 60152						234,516.00
ACCOUNT NO.						
ACCOUNT NO.						
ACCOUNT NO.						

Sheet no. \_\_\_\_\_ of \_\_\_\_\_ sheets attached to Schedule of  
Creditors Holding Unsecured Nonpriority Claims

Subtotal ➤ \$ 244,516.00  
(Total of this page)

Total ➤ \$ 289,135.13

(Use only on last page of the completed Schedule F)

(Report total also on Summary of Schedules)

Case No.

(if known)

**SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described.

NOTE: A party listed on this schedule will not receive notice of the filing of this case unless the party is also scheduled in the appropriate schedule of creditors.

☐ Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT.	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST, STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.
<p>XXXXXXXXXXXXXXXXXXXX</p> <p>Rental Systems, LLC 1100 Brandt Drive Elgin, IL 60120</p>	<p>Building Lease</p>

In re Thomas R. Carter  
Debtor

Case No. \_\_\_\_\_  
(if known)

### SCHEDULE H - CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. In community property states, a married debtor not filing a joint case should report the name and address of the nondebtor spouse on this schedule. Include all names used by the nondebtor spouse during the six years immediately preceding the commencement of this case.

☒ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR

## SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

Debtor's Marital Status:  Married	DEPENDENTS OF DEBTOR AND SPOUSE		
	NAMES Heather L. Carter Jarrod Carter Felicia Carter	AGE A	RELATIONSHIP wife son daughter
<b>EMPLOYMENT: DEBTOR</b>		<b>SPOUSE</b>	
Occupation Name of Employer SRT Roofing & Sheetmetal		none	
How Long Employed 1 year			
Address of Employer 555 Plate Dr. East Dundee 60118			

Income: (Estimate of average monthly income)	DEBTOR	SPOUSE
Current monthly gross wages, salary, and commissions (pro rate is not paid monthly.)	\$ 6,000.00	\$
Estimated monthly overtime	\$	\$
<b>SUBTOTAL</b>	\$ <del>XXXXXXX</del>	\$
LESS PAYROLL DEDUCTIONS		
a. Payroll taxes and social security	\$ 1,376.00	\$
b. Insurance	\$	\$
c. Union dues	\$	\$
d. Other (Specify _____)	\$	\$
<b>SUBTOTAL OF PAYROLL DEDUCTIONS</b>	\$ 1,376.00	\$
<b>TOTAL NET MONTHLY TAKE HOME PAY</b>	\$ 4,624	\$
Regular income from operation of business or profession or farm (attach detailed statement)	\$	\$
Income from real property	\$	\$
Interest and dividends	\$	\$
Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.	\$	\$
Social security or other government assistance (Specify _____)	\$	\$
Pension or retirement income	\$	\$
Other monthly income (Specify _____)	\$	\$
	\$	\$
<b>TOTAL MONTHLY INCOME</b>	\$ 4,624.00	\$

**TOTAL COMBINED MONTHLY INCOME \$** \_\_\_\_\_

(Report also on Summary of Schedules)

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document:

In re Thomas R. Carter  
Debtor

Case No. \_\_\_\_\_  
(if known)

### SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTORS

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

Rent or home mortgage payment (include lot rented for mobile home)	\$ <u>1,307.00</u>
Are real estate taxes included? Yes <u>X</u> No _____	
Is property insurance included? Yes <u>X</u> No _____	
Utilities Electricity and heating fuel	\$ <u>190.00</u>
Water and sewer	\$ <u>35.00</u>
Telephone	\$ <u>160.00</u>
Other _____	\$ _____
Home Maintenance (Repairs and upkeep)	\$ _____
Food	\$ <u>600.00</u>
Clothing	\$ <u>200.00</u>
Laundry and dry cleaning	\$ _____
Medical and dental expenses	\$ _____
Transportation (not including car payments)	\$ <u>200.00</u>
Recreation, clubs and entertainment, newspapers, magazines, etc.	\$ <u>50.00</u>
Charitable contributions	\$ <u>10.00</u>
Insurance (not deducted from wages or included in home mortgage payments)	
Homeowner's or renter's	\$ _____
Life	\$ _____
Health	\$ <u>365.00</u>
Auto	\$ <u><del>XXXXXXX</del> 228.50</u>
Other _____	\$ _____
Taxes (not deducted from wages or included in home mortgage payments)	
(Specify) _____	\$ _____
Installment payments (In chapter 12 and 13 cases, do not list payments to be included in the plan)	
Auto	\$ <u>1,780.00</u>
Other _____	\$ _____
Other _____	\$ _____
Alimony, maintenance, and support paid to others	\$ _____
Payments for support of additional dependents not living at your home	\$ _____
Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$ _____
Other _____	\$ _____

TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)

\$ 5,125.50

#### (FOR CHAPTER 12 DEBTORS ONLY)

Provide the information requested below, including whether plan payments are to be made bi-weekly, monthly, annually, or at some other regular interval.

A. Total projected monthly income	\$ _____
B. Total projected monthly expenses	\$ _____
C. Excess income (A minus B)	\$ _____
D. Total amount to be paid into plan each _____	\$ _____

(interval)

# United States Bankruptcy Court

Northern District of Illinois

In re Thomas R. Carter Case No. \_\_\_\_\_  
Debtor (If Known)

## SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities.

### AMOUNTS SCHEDULED

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	\$ 210,000.00		
B - Personal Property	Yes	3	\$ 50,100.00		
C - Property Claimed As Exempt	Yes	1			
D - Creditor Holding Secured Claims	Yes	1		\$ 276,434.00	
E - Creditors Holding Unsecured Priority Claims				\$	
F - Creditors Holding Unsecured Nonproperty Claims	yes	3		\$ 289,135.13	
G - Executory Contracts and Unexpired Leases	yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			\$ 4,624.00
J - Current Expenditures of Individual Debtor(s)	Yes	1			\$ 5,125.50
Total Number of Sheets in ALL Schedules ▶		14			
Total Assets ▶			\$ 260,000.00		
Total Liabilities ▶				\$ 565,569.13	

**FORM 7. STATEMENT OF FINANCIAL AFFAIRS**

**UNITED STATES BANKRUPTCY COURT**

Northern District of Illinois

In Re: Thomas R. Carter  
(Name)

Case No. \_\_\_\_\_  
(If Known)

Debtor

**STATEMENT OF FINANCIAL AFFAIRS**

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs.

Questions 1 - 15 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 16 - 21. **Each question must be answered. If the answer to any question is "None," or the question is not applicable, mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

**DEFINITIONS**

*"In business."* A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the two years immediately preceding the filing of the bankruptcy case, any of the following: an officer, director, managing executive, or person in control of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed.

*"Insider."* The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any person in control of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101(30).

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**1. Income from employment or operation of business**

None



State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT

SOURCE (if more than one)

**2. Income other than from employment or operation of business**

None ☒ State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**AMOUNT**

**SOURCE**

**3. Payments to creditors**

None ☒ a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within 90 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
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None ☒ b. List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR	DATE OF PAYMENT	AMOUNT PAID	AMOUNT STILL OWING
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**4. Suits, executions, garnishments and attachments**

None ☐ a. List all suits to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT AND LOCATION	STATUS OR DISPOSITION
First National Bank of Marengo vs. Huntley Leasing and Thomas R. Carter	03 LA 324	McHenry Cty.	Pending
Thomas Carter vs. National International Roofing Corp	00-C50314	Winnebago	Post Judgment



- None ☒ b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED	DATE OF SEIZURE	DESCRIPTION AND VALUE OF PROPERTY
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**5. Repossessions, foreclosures and returns**

- None ☒ List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER	DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN	DESCRIPTION AND VALUE OF PROPERTY
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**6. Assignments and receiverships**

- None ☒ a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIGNMENT OR SETTLEMENT
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- 
- None ☒ b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN	NAME AND LOCATION OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
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**7. Gifts**

None

☒

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and unusual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**NAME AND ADDRESS  
OF PERSON  
OR ORGANIZATION**

**RELATIONSHIP  
TO DEBTOR,  
IF ANY**

**DATE  
OF GIFT**

**DESCRIPTION  
AND VALUE  
OF GIFT**

**8. Losses**

None

☒

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**DESCRIPTION  
AND VALUE OF  
PROPERTY**

**DESCRIPTION OF CIRCUMSTANCES AND, IF  
LOSS WAS COVERED IN WHOLE OR IN PART  
BY INSURANCE, GIVE PARTICULARS**

**DATE OF  
LOSS**

**9. Payments related to debt counseling or bankruptcy**

None

☒

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

**NAME AND ADDRESS  
OF PAYEE**

**DATE OF PAYMENT,  
NAME OF PAYOR IF  
OTHER THAN DEBTOR**

**AMOUNT OF MONEY OR  
DESCRIPTION AND VALUE  
OF PROPERTY**

**10. Other transfers**

None

☒

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**NAME AND ADDRESS OF TRANSFEREE,  
RELATIONSHIP TO DEBTOR**

**DATE**

**DESCRIBE PROPERTY  
TRANSFERRED  
AND VALUE RECEIVED**

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**11. Closed financial accounts**

None

☒

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**NAME AND ADDRESS  
OF INSTITUTION**

**TYPE AND NUMBER  
OF ACCOUNT AND  
AMOUNT OF FINAL BALANCE**

**AMOUNT AND  
DATE OF SALE  
OR CLOSING**

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**12. Safe deposit boxes**

None

☒

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**NAME AND ADDRESS  
OF BANK OR  
OTHER DEPOSITORY**

**NAMES AND ADDRESSES  
OF THOSE WITH ACCESS  
TO BOX OR DEPOSITORY**

**DESCRIPTION  
OF  
CONTENTS**

**DATE OF TRANSFER  
OR SURRENDER,  
IF ANY**

**13. Setoffs**

None ☒ a. List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90** days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF
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**14. Property held for another person**

None ☒ List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF PROPERTY	LOCATION OF PROPERTY
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**15. Prior address of debtor**

None ☒ If the debtor has moved within the two years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS	NAME USED	DATES OF OCCUPANCY
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UNITED STATES BANKRUPTCY COURT  
FOR THE Northern DISTRICT OF Illinois  
Western DIVISION

In re

Thomas R. Carter  
Debtor (set forth here all names including trade names used by Debtor within last 6 years).  
Social Security No. 338-58-9002  
and Debtor's Employer's Tax Identification No. \_\_\_\_\_

Case No. \_\_\_\_\_  
Filed Under Chapter 7

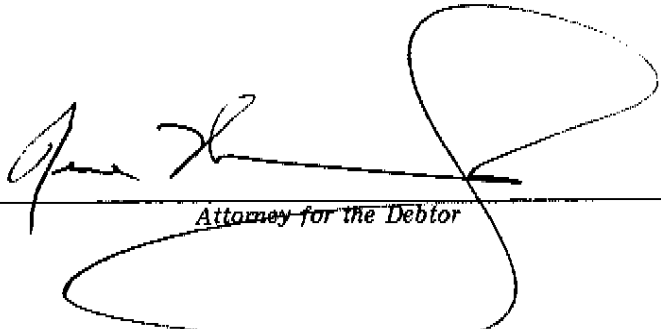
DISCLOSURE OF COMPENSATION UNDER 11 U.S.C. §329  
AND BANKRUPTCY RULE 2016(b)

I certify that I am the attorney for the above named debtor and that the compensation paid or agreed to be paid to me for services rendered or to be rendered in behalf of the debtor in or in connection with a case under title 11 of the United States Code, such payment or agreement having been made after one year before the date of the filing of the petition, is as follows: \$400.00 paid, \$ 250.00  
to be paid, that the source of the compensation paid was cash

and that the source of the compensation agreed to be paid is cash

☐ I have ☒ I have not agreed to share this compensation with any other person. (If appropriate) The details of such sharing or agreement to share are as follows (except that no such details are required of any agreement for the sharing of the compensation with a member or regular associate of the attorney's law firm):

Dated: December 14, 2004

  
\_\_\_\_\_  
Attorney for the Debtor

## UNITED STATES BANKRUPTCY COURT

Northern DISTRICT OF Illinois  
Western DIVISION

In re Thomas R. Carter

Case No. \_\_\_\_\_

Chapter \_\_\_\_\_

## CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

1. I have filed a schedule of assets and liabilities which includes consumer debts secured by property of the estate.
2. I intend to do the following with respect to the property of the estate which secures those consumer debts:

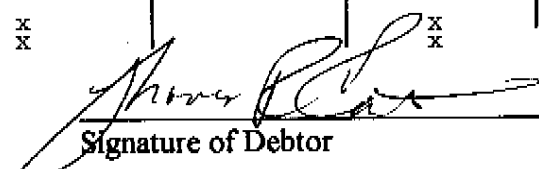
a. *Property to Be Surrendered.*

Description of Property

Creditor's name

b. *Property to Be Retained*

[Check any applicable statement]

Description of Property	Creditor's Name	Property is claimed as exempt	Property will be redeemed pursuant to 11 U.S.C. § 722	Debt will be reaffirmed pursuant to 11 U.S.C. § 524(c)
Real Estate	Aurora Loan Services & Upland Mortgage	x		
Ford Truck	Ford Motor Credit	x		x
mustang				x
Bourget Motorcycle	1st National Bank of			
Date: December 14, 2004	Marengo			
		 Signature of Debtor		

## CERTIFICATION OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or Typed Name of Bankruptcy Petition Preparer

Social Security No. \_\_\_\_\_

Address \_\_\_\_\_

Names and Social Security Numbers of all other individuals who prepared or assisted in preparing this document.

If more than one persons prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

X \_\_\_\_\_

Signature of Bankruptcy Petition Preparer

Date \_\_\_\_\_

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

## UNITED STATES BANKRUPTCY COURT

FOR THE Northern DISTRICT OF Illinois  
Western DIVISION

In re

Thomas R. Carter*Debtor (set forth here all names including trade names used by Debtor within last 6 years).*Social Security No. 388-58-9002

and Debtor's Employer's Tax Identification No. \_\_\_\_\_

Case No. \_\_\_\_\_

## CERTIFICATE OF COMMENCEMENT OF CASE

I hereby certify that on December 14, 2004, \_\_\_\_\_ the above named debtor filed a petition (or if applicable a petition was filed against the above named debtor) requesting relief under chapter 7 of title 11, United States Code (the Bankruptcy Code).

Dated: \_\_\_\_\_

\_\_\_\_\_  
Clerk of the Bankruptcy Court.

## ADVISORY COMMITTEE NOTE

*This form is adapted from certificates that have been in use in several districts. The certificate may be used to alert persons dealing with the debtor or property of the debtor of the pendency of a case under the Code before the notice of the meeting of creditors is sent.*

*[If completed by an individual or individual and spouse]*

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date December 14, 2004 Signature \_\_\_\_\_  
of Debtor

Date \_\_\_\_\_ Signature \_\_\_\_\_  
of Joint Debtor  
(if any)

★ ★ ★ ★ ★

*[If completed on behalf of a partnership or corporation]*

I, declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date \_\_\_\_\_ Signature \_\_\_\_\_

\_\_\_\_\_  
Print Name and Title

*[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]*

\_\_\_\_\_ continuation sheets attached



B 201

## United States Bankruptcy Court

### NOTICE TO INDIVIDUAL CONSUMER DEBTOR

The purpose of this notice is to acquaint you with the four chapters of the federal Bankruptcy Code under which you may file a bankruptcy petition. The bankruptcy law is complicated and not easily described. Therefore, you should seek the advice of an attorney to learn of your rights and responsibilities under the law should you decide to file a petition with the court. Neither the judge nor the court's employees may provide you with legal advice.

#### Chapter 7: Liquidation (\$175 filing fee)

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts.
2. Under Chapter 7 a trustee takes possession of all your property. You may claim certain of your property as exempt under governing law. The trustee then liquidates the property and uses the proceeds to pay your creditors according to priorities of the Bankruptcy Code.
3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, your discharge may be denied by the court, and the purpose for which you filed the bankruptcy petition will be defeated.
4. Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, debts fraudulently incurred, debts for willful and malicious injury to a person or property, and debts arising from a drunk driving judgment.
5. Under certain circumstances you may keep property that you have purchased subject to a valid security interest. Your attorney can explain the options that are available to you.

#### Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$160 Filing fee)

1. Chapter 13 is designed for individuals with regular income who are temporarily unable to pay their debts but would like to pay them in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
2. Under chapter 13 you must file a plan with the court to repay your creditors all or part of the money that you owe them, using your future earnings. Usually the period allowed by the court to repay your debts is three years, but not more than five years. Your plan must be approved by the court before it can take effect.
3. Under Chapter 13, unlike chapter 7, you may keep all your property, both exempt and non-exempt, as long as you continue to make payments under the plan.
4. After completion of payments under your plan, your debts are discharged except alimony and support payments and long term secured obligations.

#### Chapter 11: Reorganization (\$830 filing fee for Non Railroad)(\$1030 filing fee to Railroad)

Chapter 11 is designed primarily for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision for an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer (\$230 filing fee)

Chapter 12 is designed to permit family farmers to repay their debts over a period of time from future earnings and is in many ways similar to a chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family owned farm.

I, the debtor, affirm that I have read this notice.

12/14/04  
Date

  
Signature of Debtor

\_\_\_\_\_  
Case Number